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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/614,548	07/03/2003	Kulvir S. Bhogal	AUS920030165US1	5848
35525	7590	07/05/2007		
IBM CORP (YA) C/O YEE & ASSOCIATES PC P.O. BOX 802333 DALLAS, TX 75380			EXAMINER KENDALL, CHUCK O	
			ART UNIT 2192	PAPER NUMBER
			MAIL DATE 07/05/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/614,548	BHO GAL ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Chuck O. Kendall	2192	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 April 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 July 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

1. This is in response to the application filed 07/03/2003.
2. Claims 1 – 29 have been examined.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. Claims 1,7, 9 – 11, 14, 20, 22 – 24 and 27 are rejected under 35 U.S.C. 102(e) as being anticipated by Stern, USPN 6,572,661 B1.

Regarding claim 1, Stern discloses a method comprising:

receiving a first designation of a particular portion of a body of source code (2:35 – 40, see retrieves and executes software instructions);

receiving a second designation of an association of the particular portion of the body of source code with commentary related to the particular portion of the body of source code (3:23 – 27);

receiving a third designation of a set of intended readers of the commentary (3:23 – 25, see Annotation reader 220);

making the commentary and the associated particular portion of the body of source code accessible to only the set of intended readers (4:20 – 30, see source file matcher 262 and reader 220).

Regarding claim 7, the computer program product of claim 1 wherein the second designation is represented in the form of at least one tag in a markup language, wherein the at least one tag is embedded within the body of source code (Stern, FIG. 3, 312, 314, 322, and all associated text).

Regarding claim 9, discloses the method of claim 1, further comprising:

formatting the commentary and the particular portion of the body of source code for display to a user (Stern, 10:35 - 40).

Regarding claim 10, the method of claim 1, wherein the particular portion of the body of source code is one of a subroutine, a line of code, a variable, an identifier, and a source code comment (Stern, 5:50 - 60).

Regarding claim 11, the method of claim 1, wherein the commentary and the body of source code are recorded within a configuration management system, and wherein the commentary is made available to the set of intended readers by presenting the commentary along with the body of source code in response to a checking-out of the body of source code by one of the set of intended readers (Stern, 5:50 - 60).

Regarding claim 14, the computer program product on recordable type media version of claim 1, see rationale above as previously discussed.

Regarding claim 20, the computer program product on recordable type media version of claim 7, see rationale above as previously discussed.

Regarding claim 22, the computer program product on recordable type media version of claim 9, see rationale above as previously discussed.

Regarding claim 23, the computer program product on recordable type media version of claim 10, see rationale above as previously discussed.

Regarding claim 24, the computer program product on recordable type media version of claim 11, see rationale above as previously discussed.

Regarding claim 27, the data processing system version of claim 1, see rationale above as previously discussed.

5. Claims 4, 5, 15, 17, 18 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stern USPN 6,572,661 B1 in view of Ballbach US 2001/0032095.

Regarding claim 4, Stern discloses all the claimed limitation as applied in claim 1 above. Stern doesn't expressly disclose sending a notification to at least one subset of the set of intended readers to notify the at least one subset of the set of intended readers that the commentary is available. However, Ballbach in an analogous art and similar configuration discloses advertising to recipients information regarding content from the Sender/(reader or viewer) [0053]. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Stern and Ballbach, because it would enable providing the recipients available data/commentary.

Regarding claim 5, the method of claim 4, wherein the notification includes copies of the commentary and the particular portion of the body of source code (Stern, FIG. 3, see items 346, 350 and 358).

Regarding claim 15, the computer program product version of claim 2, see rationale above as previously discussed.

Regarding claim 17, the computer program product version of claim 4, see rationale above as previously discussed.

Regarding claim 18, the computer program product version of claim 5, see rationale above as previously discussed.

Regarding claim 28, the data processing system version of claim 2, see rationale above as previously discussed.

6. Claims 8, 13, 21 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stern USPN 6,572,661 B1 in view of Shupak USPN 6,874,140.

Regarding claim 8, Stern discloses all the claimed limitations as applied in claim 1 above. Stern doesn't expressly disclose generating, from the body of source code, a second body of source code that is capable of being compiled by a compiler. However, Stupak discloses in an analogous art implementing annotated instructions and source code utilizing a compiler (Shupak, 12:5 – 10). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Stern and

Stupak because, it would enable transforming parsed annotations into intermediate language code (11:65 – 67).

Regarding claim 13, the method of claim 1, wherein the method executed from a program-having a command-line interface (Shupak, Fig. 7, 720).

Regarding claim 21, the computer program product version of claim 8, see rationale above as previously discussed.

Regarding claim 26, the computer program product version of claim 13, see rationale above as previously discussed.

7. Claims 12 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stern USPN 6,572,661 B1 in view of Charisus USPN 6,983,446.

Regarding claim 12, Stern discloses all the claimed limitations as applied in claim 1. Stern doesn't expressly disclose wherein the method is executed in an integrated development environment. However, Charisus in an analogous art and similar configuration discloses providing similar functionality in an IDE, (Charisus, 6:50 – 54, see integrated development environment). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Stern and Charisus because, it would enable incorporating the annotated code in an Integrated development Environment.

Regarding claim 25, the computer program product version of claim 12, see rationale above as previously discussed.

8. Claims 3, 16 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stern as applied in claim 1, 14 and 27 in view of Kay USPN 6,021,266.

Regarding claims 3, 16, and 29, Stern discloses all the claimed limitations as applied in claims 1, 14 and 27. Stern doesn't expressly disclose receiving a fourth designation of a particular time period during which the commentary will be available, wherein the commentary and the particular portion of the body of source code are accessible to the set of intended readers during the particular time period. However, Kay in an analogous art and similar configuration discloses that a user may provide timing information by annotating clock edges and also discloses scheduling (2:40 – 45). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Stern and Kay because, it would enable providing timed information and scheduling for annotation information as suggested by Kay.

9. Claim 6 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stern as applied in claims 4 and 17 and further in view of Ben-Romdhane US 20040031015 A1.

Regarding claims 6 and 19, Stern discloses all the claimed limitations as applied in claims 4 and 17. Stern doesn't expressly disclose wherein the notification is sent to the at least one subset of the set of intended readers via electronic mail. However Ben-Romdhane discloses a source editor which includes source annotation and also a



notification trigger (e.g. email) which indicates when one or more files have been modified (0193). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Stern and Romdhane because it would enable notifying users when source code has been modified.

### ***Allowable Subject Matter***

10. Claim 2 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

“wherein the set of intended readers is designated by a user's selecting the set of intended readers from a set of potential intended readers, and wherein the set of potential intended readers is acquired by accessing a directory service”.

### ***Response to Arguments***

11. Applicant's arguments with respect to claims 1 – 29 have been considered but are moot in view of the new ground(s) of rejection.

### **Correspondence information**

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

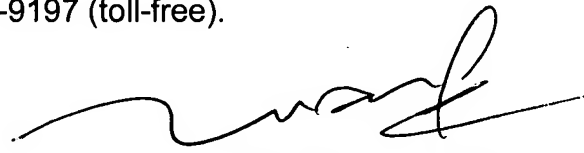
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chuck Kendall whose telephone number is 571-272-3698. The examiner can normally be reached on 10:00 am - 6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Dam can be reached on 571-272-3695. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ck.



TUAN DAM  
SUPERVISORY PATENT EXAMINER